

**REMARKS**

Claims 1-49 are present in this application. Claims 1-28, 30-44, and 46-49 have been examined. Claims 29 and 45 are withdrawn.

**Allowable Subject Matter**

The Applicant thanks the Examiner for indicating that claims 1-22, 25-28, 30-44, 46, 47 and 49 are allowed. It is noted that the Office Action both indicates allowance of claim 48 and rejects claim 48 based on prior art. The Applicant presumes that claim 48 remains rejected.

**§ 103(a) Rejection – Goldhor, Sen, Laroia**

Claims 23, 24, and 48 remain rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,625,656 (Goldhor) in view of U.S. Patent 6,691,312 (Sen) and U.S. Application Publication 2004/0258084 (Laroia). Applicant respectfully traverses this rejection.

**Goldhor, Sen and Laroia fail to teach the claimed feature “a communicator for transmitting the intermittent transmission schedule to the transmitting side in order to receive data transmitted intermittently based on the intermittent transmission schedule**

Claim 23 covers, among other things, a feature of transmission of a schedule for purposes of receiving data according to the transmitted schedule.

In particular, claim 23 is directed to a data communication apparatus for receiving data transmitted intermittently from a transmitting side, including among other things:

a multimedia data communication controller for setting up a intermittent transmission schedule . . . ;

a communicator for transmitting the intermittent transmission schedule to the transmitting side in order to receive data transmitted intermittently based on the intermittent transmission schedule.

The Office Action alleges that Sen at col. 3, lines 25-27, 38-47, 49-59, teaches this claimed feature (Office Action at page 5, second paragraph).

These sections of Sen teach that server 102 multicasts streaming video to a number of clients 106a-106e. Other sections in Sen disclose that the root node, i.e. server 102, transmits the schedule to a downstream node (col. 4, lines 6, 7, 60-63). Thus, it can be seen that Sen teaches transmission of both data and schedules in the direction from a server to the client.

To the contrary, as recited in claim 23 the node that receives the data is the node that transmits the schedule.

For at least this reason, Applicant submits that Goldhor, Sen and Laroia fail to teach the claimed feature **“a communicator for transmitting the intermittent transmission schedule to the transmitting side in order to receive data transmitted intermittently based on the intermittent transmission schedule.”**

**Goldhor, Sen and Laroia fail to teach the claimed feature of “an electric power supply controller for stopping electric power supply to the communicator during a non-transmission time based on the intermittent transmission schedule”**

In the present invention, because the streaming data is received based on a schedule transmitted by the receiver, electric power supply to the communicator can be stopped based on the intermittent transmission schedule, thereby enabling streaming play by a data communication apparatus having limited power supply (specification at paragraph bridging pages 48-49).

This feature is covered by claim 23, which recites “an electric power supply controller for stopping electric power supply to the communicator during a non-transmission time based on the intermittent transmission schedule.”

The Office Action alleges that Laroia teaches this feature (Office Action at paragraph bridging pages 5-6). In particular, the Office Action refers to Laroia’s teaching of a “sleep mode,” at para. 0021.

Paragraph 0021 of Laroia states:

“Typically, wireless terminals 203 when not in use are in a standby mode commonly referred to as a “sleep” mode. In the sleep mode most of the circuitry in the wireless terminal 203 is turned off in order to conserve energy and, thereby, extend battery life. In order for each of the wireless terminals 203 to detect whether there is a paging message intended for it, the particular wireless terminal 203 must come out of the sleep mode, i.e., wake up, and monitor incoming time slots for an associated paging message.”

To the contrary, claim 23 recites that electric power supply be stopped to a communicator based on a current intermittent transmission schedule.

Applicant submits that Laroia’s sleep mode is not taught, for example, as being invoked during a non-transmission time based on a current intermittent transmission schedule.

For at least this reason, Applicant submits that Goldhor, Sen and Laroia fail to teach the claimed feature of **“an electric power supply controller for stopping electric power supply to the communicator during a non-transmission time based on the intermittent transmission schedule.”**

For at least these reasons, Applicant submits that Goldhor, Sen, and Laroia, either alone or in combination, fail to teach each and every claimed element recited in claim 23. This deficiency applies as well to dependent claims 24 and 48. Applicant requests that the rejection be reconsidered and withdrawn.

## CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact **Robert Downs** Reg. No. 48,222 at

the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By Robert Down #48222  
Charles Gorenstein  
Registration No.: 29,271  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant